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9-14-01  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: Unknown  
Inventor: Lee, et al  
Serial No. To Be Assigned  
Filed: Herewith  
For: Computer System Upgrade Method Employing Upgrade  
Management Utility Which Provides  
Uninterrupted Idle State  
Attorney Docket No.: 67,200-418



DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.56

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

Sir:

In compliance with 37 C.F.R. § 1.56, the art listed and identified on the attached Form PTO-1449 is being submitted herewith for consideration by the Examiner. A copy of each of the listed references is included herewith.

It is Applicant's opinion that the claims presently on file patentably distinguish the present invention from each of these references. The above references are being cited only in the interests of candor and without any admission that they constitute

statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art.

Respectfully submitted,

TUNG & ASSOCIATES

By 

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------|
| <b>FORM PTO-1449 (MODIFIED)</b><br><br>LIST OF PATENTS AND PUBLICATIONS<br>FOR APPLICANT'S INFORMATION<br>DISCLOSURE STATEMENT<br><br>(Use several sheets if necessary) | ATTY DOCKET NO.      | SERIAL NO.     |
|                                                                                                                                                                         | 67,200-418           | Filed Herewith |
|                                                                                                                                                                         | APPLICANT Lee, et al |                |
|                                                                                                                                                                         | FILING DATE          | GROUP          |
|                                                                                                                                                                         | Filed Herewith       | Unknown        |

1c978 U.S. PTO 06/07/01


**REFERENCE DESIGNATION U.S. PATENT DOCUMENTS**

| EXAMINER<br>INITIAL |    | DOCUMENT<br>NO. | DATE    | NAME        | CLASS | SUB<br>CLASS | FILING<br>DATE |
|---------------------|----|-----------------|---------|-------------|-------|--------------|----------------|
|                     | AA | 5,966,301       | 10/1999 | Cook et al  |       |              |                |
|                     | AB | 6,113,652       | 09/2000 | Lysik et al |       |              |                |
|                     | AC | 6,157,932       | 12/2000 | Klein et al |       |              |                |
|                     | AD |                 |         |             |       |              |                |
|                     | AE |                 |         |             |       |              |                |
|                     | AF |                 |         |             |       |              |                |
|                     | AG |                 |         |             |       |              |                |
|                     | AH |                 |         |             |       |              |                |
|                     | AI |                 |         |             |       |              |                |
|                     | AJ |                 |         |             |       |              |                |

**FOREIGN PATENT DOCUMENTS**

| EXAMINER<br>INITIAL |    | DOCUMENT<br>NO. | DATE | COUNTRY | CLASS | SUB<br>CLASS | TRANSLATION<br>YES/NO |
|---------------------|----|-----------------|------|---------|-------|--------------|-----------------------|
|                     | AK |                 |      |         |       |              |                       |
|                     | AL |                 |      |         |       |              |                       |
|                     | AM |                 |      |         |       |              |                       |
|                     | AN |                 |      |         |       |              |                       |

**OTHER ART (including Author, Title, Date, pertinent pages, etc.)**

|  |    |  |
|--|----|--|
|  | AO |  |
|  | AP |  |

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.